

TO:

**Public Retirement Systems Committee**

Co-chairperson: Senator Thomas Courtney

Co-chairperson: Representative Dawn Pettengill

FROM:

Gabriel J. Schaapveld

High Risk Unit Probation/Parole Officer III

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SUBJECT:

On behalf of the members of the Warrant Team(5<sup>TH</sup> Judicial District) and High Risk Units (4<sup>TH</sup>, 6<sup>TH</sup> & 8<sup>TH</sup> Judicial Districts) within the State of Iowa, Community Based Corrections, we request that we be included in to the Protective Class Status in regards to the Iowa Public Employee Retirement Systems (IPERS). We would request that all Probation/Parole Officer III's and any Supervisory/Executive Officers in direct supervision and/or connection to the State of Iowa Community Based Correctional High Risk Units and Warrant Teams be included in our request.

We request that we be included into the Protective Class because we feel that our job and duties overwhelmingly meet the standards and requirements. IPERS defines membership into a protection occupation for employees as a special service member. They state that these members work in a public safety occupation and that their careers tend to be shorter because of the physical demands of their jobs. Most of these occupations include Paramedics, Police Officers, and Firefighters. As officers in the High Risk Unit and Warrant Team, the core mission of what we do is public safety. We must all be Iowa Law Enforcement Academy Certified and are State Certified Peace Officers. We also must maintain yearly qualifications and trainings to keep those certifications. Attached (page 3) is a full job description for a High Risk Unit/Warrant Team member.

In reference to the steps we have taken to get to this point, I can provide the following. I had read the requirements set forth by the IPERS Benefit Advisory Committee and contacted them about the steps needed to be moved to the Protection Occupation. I presented IPERS Benefit Advisory Committee meeting in the spring of 2013 on behalf of all Warrant Team and High Risk Unit officers. At this meeting I explained that we met the standards that they had set forth by addressing each one of the bullet points outlined in their guideline (page 2). The committee adjourned and reached an agreement that they did in fact believe that we met their guidelines. Attached (page 4) is the letter I received showing their support for our Protective Class Status and the official definition they gave High Risk Unit/Warrant Team Officers.

With consideration to the information presented, we request your support to obtain Protective Class. Thank You.

**Listed guidelines for consideration of Protection Occupation Membership as outlined by the Benefits Advisory Committee of IPERS.**

1. The primary duties of a Protection Occupation Position are the preservation of the physical safety of individuals and/or protection of property, and
2. The duties devoted to the preservation of the physical safety of individuals and/or protection of property must be hazardous, and physically demanding. “Hazardous” means that the duties place one’s own life in peril or may place another person’s life in peril. “Physically demanding” means the duties require strength, or speed, or stamina, or agility, or some combination thereof, and
3. The duties described above generally require professional certification or specialized training directly related to the preservation of the physical safety of individuals and/or protection of property by individual in those positions. Statutory references to professional certification or specialized training requirements may be useful in the documentation of professional certification or specialized training requirements, and
4. The duties devoted to the preservation of the physical safety of individuals and/or protection of property must be such that age materially reduces the capacity to perform at an acceptable level. As the result of the material reduction in capacity due to age, the Protection Occupation Member may find it necessary to retire at an earlier age and with less service than a Regular Member and likely to suffer an economic deprivation thereby, and
5. An employer association or organization that has broad representation of the covered employers that employ members requesting protection occupation status agrees that the duties of the class of positions under review generally meet the foregoing guidelines.
6. Recommendations to add new group classifications to the Protection Occupation Class must not recommend converting previously earned regular service credits to protection occupation service credits. That is to say that the period that the position was classified as regular membership will remain at the regular membership calculation.

## **High Risk Unit/Warrant Team Job Description**

Members of the High Risk Unit(s)/Warrant Team(s) work a varied work schedule consisting of nights, weekends and varied shifts. Regular contact occurs with high risk offenders who are on either probation or parole on a daily shift basis. Officers are fully equipped with a law enforcement uniform and duty belt. The items required for officers to carry while on duty include: a firearm, handcuffs, pepper spray, ASP baton, bullet-proof vest, police radio, and other items associated with law enforcement occupations. Officers drive marked and unmarked squad-cars and may respond to general public calls for service as well as the normal probation/parole checks that are the majority of their daily duties. Unit members are required to be fully Iowa Law Enforcement Academy Certified and work in this capacity as state certified peace officers. Officers must maintain state certification for firearms and complete training at the Iowa Law Enforcement Academy or similar training institution approved by the employer to become Iowa Law Enforcement Certified. Once officers are certified in firearms, ASP Baton, Handcuffing Techniques, Defensive Tactics, Physical Fitness Testing and Medical Certification (including CPR and First Aid), they must maintain these certifications from year to year. Officers also work regularly with other law enforcement agencies on a regular basis.

The main duties are as follows: Conduct Home Visits on High Risk Offenders (Probation, Parole, Work Release, OWI, and Federal Offenders-in Halfway House). This includes taking requests from probation officers, supervisors, law enforcement agencies and from self-initiation to ensure that individuals on probation or parole are compliant with their rules and regulations regarding their agreement conditions as assigned by the state of Iowa. Provide breath analysis and/or urine testing upon home visits and on requests. Officers will make arrests if the offender(s) is/are not in compliance with the terms and conditions of his/her probation/parole. Officers will fill out new complaint forms (if charges are filed) and Probation/Parole Violation Incident reports. Officers interview offenders for on-going criminal cases and notify other agencies (Department of Human Services, Local Law Enforcement and/or Federal authorities) if applicable to the situation. Officers also maintain statistical information for documentation purposes, keep Probation/Parole Officers informed of the behaviors their offenders display while out in the community, and travel to various counties state wide (depending on the Judicial District) to check offenders.

Officers are also responsible for the apprehension of Probation/Parole Absconders, Treatment Court Absconders and Escapees from the Halfway Houses. Officers provide arrests for Probation/Parole Officers who have non-compliant offenders in the office, new arrests, and provide security transports as requested for court appearances. Officers print out monthly reports of absconders and review information from our data base to help locate the offender(s) who have warrants. This includes looking into past presentence reports, substance abuse evaluations, work history, family history and psychological/psychiatric reports for reference points. If the offender is an escapee from a halfway house, officers then review old visitor lists, driver information and property lists. Officers also provide security transports for parole hearings (to and from County Jail to the Probation/Parole office) on a bi-weekly basis and for other agencies as needed.

## **IPERS BAC Subcommittee Recommendation Letter**

March 29, 2013

TO: IPERS Benefits Advisory Committee Members

FR: BAC Protection Occupation Subcommittee

RE: Requests for Protection Occupation

The protection occupation subcommittee met on Friday, March 29, 2013, to further review the requests received from the Insurance Fraud Investigators and High Risk Unit officers for inclusion in the protection occupation group.

**The subcommittee determined that the Insurance Fraud Investigators and the High Risk Unit officers meet the BAC's established guidelines for consideration of protection occupation membership and recommends that BAC support their request.**

The following definitions were developed:

An employee of the Iowa Insurance Division whose condition of employment requires them to be Iowa Law Enforcement Academy certified and is required to perform the duties of a peace officer as defined under Iowa Code section 507E.8.

### **507E.8 PEACE OFFICER STATUS.**

Bureau investigators shall have the power and status of peace officers when making arrests for criminal violations established as a result of their investigations pursuant to this chapter. The general laws applicable to arrests by peace officers of the state also apply to bureau investigators. Bureau investigators shall have the power to execute arrest warrants and search warrants for the same criminal violations, serve subpoenas issued for the examination, investigation, and trial of all offenses identified through their investigations, and arrest upon probable cause without warrant a person found in the act of committing a violation of the provisions of this chapter.

An employee of the Community Based Corrections whose condition of employment requires them to be Iowa Law Enforcement Academy certified and is required to perform the duties of a peace officer as defined under Iowa Code section 906.2.

### **906.2 PAROLE OFFICERS.**

Parole officers, while performing their duties as parole officers, are peace officers and have all the powers and authority of peace officers. Parole officers shall investigate all persons referred to them for investigation by the chief parole officer to which they may be assigned or by the director of a judicial district department of correctional services. They shall furnish to each person released under their supervision a written statement of conditions. They shall keep informed of each person's conduct and condition and shall use all suitable methods to aid and encourage the person to bring about improvement in the person's conduct or condition. Parole officers shall keep records of their work, make reports as required, and perform other duties as may be assigned to them by the chief parole officer or the director of a judicial district department of correctional services. They shall coordinate their work with that of other social welfare agencies which offer services of a corrective nature operating in the area to which they are assigned.